

03-28-05

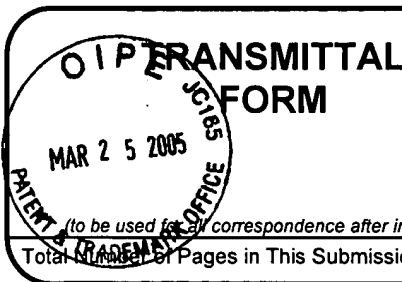
PTO/SB/21 (09-04)

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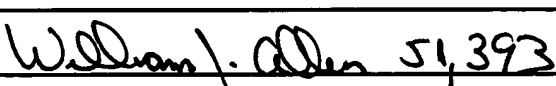
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	Application Number	10/611,458
	Filing Date	July 1, 2003
	First Named Inventor	Johnston
	Art Unit	3624
	Examiner Name	Charles Kyle
	Attorney Docket Number	006119.00007
Total Number of Pages in This Submission		

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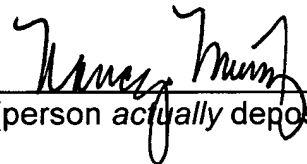


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By: 
(person actually depositing)

In the Application of: Scott Johnston, et al.

Serial No.: 10/611,458

Filing Date: July 1, 2003

Title: DERIVATIVES TRADING METHODS THAT USE A VARIABLE ORDER
PRICE AND A HEDGE TRANSACTION

- X Transmittal Form PTO/SB/21 (in duplicate)
- X Information Disclosure Statement
- X Form PTO/SB/08A (3 pages)
- X Copies of non-patent references
- X Return Postcard

Attorney Docket No. 006119.00007



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 006119.00007)

In re U.S. Patent Application of: Johnston)
Application No. 10/611,458) Examiner: Charles Kyle
Filed: July 1, 2003) Group Art Unit: 3624
For: DERIVATIVES TRADING)
METHODS THAT USE A VARIABLE)
ORDER PRICE AND A HEDGE)
TRANSACTION)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
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Pursuant to 37 CFR §§1.97-1.98, Applicants wish to make the following references listed on the enclosed Form PTO/SB/08a of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 CFR §1.56.

Applicants believe there is no fee due in connection with this Information Disclosure statement, however, the Commissioner is hereby authorized to charge any fees that may be due or credit any overpayment of fees to our Deposit Account No. 19-0733.

Respectfully submitted,

Dated: March 25, 2005

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PTO/SB/08a (08-03)

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/611,458
Filing Date	July 1, 2003
First Named Inventor	Johnston
Art Unit	3624
Examiner Name	Charles Kyle
Attorney Docket Number	006119.00007

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 2003/0216932	11/20/2003	Foley	
		US- 2003/0220868	11/27/2003	May	
		US- 2002/0128955	09/12/2002	Bradley	
		US- 2002/0138390	09/26/2002	May	
		US- 2002/0156719	10/24/2002	Finebaum	
		US- 2002/0169703	11/14/2002	Lutnick	
		US- 2002/0174055	11/21/2002	Dick	
		US- 2003/0097328	05/22/2003	Lundberg	
		US- 2003/0101125	05/29/2003	McGill	
		US- 2003/0093360	05/15/2003	May	
		US- 2003/0083978	05/01/2003	Brouwer	
		US- 2003/0115128	06/19/2003	Lange	
		US- 2003/0061148	03/27/2003	Alavian	
		US- 2002/0002530	01/03/2002	May	
		US- 2001/0032163	10/18/2001	Fertik	
		US- 2001/0034695	10/25/2001	Wilkinson	
		US- 2001/0042036	11/15/2001	Sanders	
		US- 2001/0044771	11/22/2001	Usher	
		US- 2003/0069836	04/10/2003	Penney	
		US- 2002/0018760	02/07/2002	Pathak	
		US- 2002/0069155	06/06/2002	Nafeh	
		US- 2002/0099651	07/25/2002	May	
		US- 2002/0116317	08/22/2002	May	
		US- 2003/0004853	01/02/2003	Ram	
		US- 2003/0028476	02/06/2003	Jenkins	
		US-2003/0023536	01/30/2003	Hollerman	
		US- 2003/0033212	02/13/2003	Sandhu	
		US- 5,924,082	07/13/1999	Silverman	
		US- 6,018,722	01/25/2000	Ray	
		US- 5,950,176	09/07/1999	Keiser	
		US- 6,236,972	05/22/2001	Shkedy	
		US- 6,317,727	11/13/2001	May	
		US- 6,321,212	11/20/2001	Lange	
		US- 6,347,307	02/12/2002	Sandhu	
		US- 6,421,653	07/16/2002	May	
		US- 6,505,174	01/07/2003	Keiser	
		US- 6,618,707	09/09/2003	Gary	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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		"Single Integrated Architecture" [retrieved on 2003/12/05] Retrieved from the internet <URL :http://www.sungard.com/products and services/stars/panorama/solutions/panoramatechnologyvandinfrastr	
		Senior, Adriana. "Morgan Buying Into Network For On-Line Security Trades" [retrieved on 2005/03/25] Retrieved from the internet <URL :http://proquest.uni.com/pqdlink?index=26&sid=1&srchmode=3&vinst=PROD&fmt=3&st	
		Ostrovsky, Arkady. "Working towards a seamless link: Global Protocol" [retrieved on 2005/03/25] Retrieved from the internet <URL :http://proquest.uni.com/pqdlink?index=1&sid=1&srchmode=1&vinst=PROD&fmt=3&sta	
		"Case Study: BSE implements intelligent switching architecture Combining networks intelligently" [retrieved on 2003/12/05] Retrieved from the internet <URL :http://www.networkmagazineindia.com/200302/case2.shtml	
		"BSE The Stock Exchange, Mumbai Network Diagram" [retrieved on 2003/12/05] Retrieved from the internet <URL :http://	
		Domowitz, Ian. "Electronic Derivatives Exchanges: Implicit Mergers, Network Externalities, and Standardization" The Quarterly Review of Economics and Finance, Vol. 35, No. 2, Summer, 1995, p. 163-175	
		"Derivatives Drive New Network" Barron's, Nov. 4, 1991: 71, 44: ABLINFORM Global, p. 36	
		"NYFIX, Inc. Routes OTC Orders to American Stock Exchange [retrieved on 2003/12/05] Retrieved from the internet <URL :http://www.prnewswire.com/cgi-bin/stories.pl?ACCT=SVBIZINK3.story&STORY=/www/story/11-24-2	
		"Trading and Decision Support" [retrieved on 2003/12/05] Retrieved from the internet <URL :http://www.sungard.com/products_and_services/stars/panoram/solutions/panoramatrading.htm	
		"Orc Technology" [retrieved on 2003/12/05] Retrieved from the internet <URL :http://www.orcsoftware.com/Technology/index.htm	
		"Creditex widens access" [retrieved on 2004/03/29] Retrieved from the internet <URL:http://www.efinancialnews.com/index.cfm?...on=print_view&passedref=8000000000002212	
		Treanor, Jill. "Banks plan trading network for \$52 trillion derivatives" [retrieved on 2004/03/18] Retrieved from the internet <URL :http://www.guardian.co.uk/business/story/0,3604,178019,00.html	
		"OnExchange Selects Exodus to Host Online Derivatives Exchange; Leading Online Derivatives Exchange Optimizes Network Performance by Selecting Leader in Complex Internet Hosting" [retrieved on 2004/03/25] Retrieved from the internet <URL :http://www.findarticles.com/cf_0/m0EIN/2000_Nov_7/66657629/pl/article.jhtml	
		"ExNet Network" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.orcsoftware.com/Products/ExNetPIPNetwork.htm	
		"Orc Futures" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.orcsoftware.com/Products/OrcFutures.htm	
		"Orc Liquidator" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.orcsoftware.com/Products/OrcLiquidator.htm	
		[retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.wstonline.com/printableArticle/?jsessionid=NA3QPNTTNKCOIQSNDBCCK...	
		[retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.wstonline.com/printableArticle/?jsessionid=ILJHDTNYRJNVMSNDBCCKHY?doc id=14...	
		"Press Releases" [retrieved on 2004/03/18] Retrieved from the internet <URL:http://www.swapswire.com/press/10_04_00.asp	
		"Single Integrated Architecture" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.sungard.com/products and services/stars/panorama/solutions/panoramatechnologyvandinfrastr	
		"The integrated, real-time solution for bank treasure and portfolio management" SunGard Securities Processing	
		"Panorama EQN" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.sungard.com/products_and_services/stars/panorama/solutions/panoramaotcdistribution.htmr	
		"Chicago Board of Trade certifies Orc Software for its electronic trading platform" [retrieved on 2003/12/05] Retrieved from the internet <URL:http://www.orcsoftware.com/Company/PNR/PNR 031106 e-shot eng.htm	

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		"X_Trader Platform "" [retrieved on 2004/03/18] Retrieved from the internet URL< http://www.tradingtechnologies.com/blue_xtrader.html	
		"X_Trader TT Net "" [retrieved on 2003/12/05] Retrieved from the internet URL< http://www.tradingtechnologies.com/blue_net.html	

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